

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF

TUESDAY, FEBRUARY 17, 1987

AT 9:00 A.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 9:56 a.m. The meeting was recessed by Mayor O'Connor at 11:58 a.m. to reconvene at 2:00 p.m.

The meeting was reconvened by Mayor O'Connor at 2:02 p.m. with no quorum present. The meeting was reconvened by Mayor O'Connor at 2:03 p.m. with Council Members Cleator, Jones and Ballesteros not present. Mayor O'Connor adjourned the meeting at 3:48 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
  - (1) Council Member Wolfsheimer-present
  - (2) Council Member Cleator-present
  - (3) Council Member McColl-present
  - (4) Council Member Jones-not present
  - (5) Council Member Struiksma-present
  - (6) Council Member Gotch-present
  - (7) Council Member McCarty-present
  - (8) Council Member Ballesteros-present
- Clerk-Abdelnour (eb;bb)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Cleator-not present
- (3) Council Member McColl-present
- (4) Council Member Jones-not present
- (5) Council Member Struiksma-present
- (6) Council Member Gotch-present
- (7) Council Member McCarty-present
- (8) Council Member Ballesteros-present

ITEM-10: INVOCATION

Invocation was given by Father John Blethen, Director

of Social Services, Villa Nueva Apartments, San Ysidro.

FILE LOCATION: MINUTES

Feb-17-1987

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Gotch.

FILE LOCATION: MINUTES

ITEM-30: Welcomed

Welcoming a group of 40 students from Boone Elementary School, accompanied by Gay Ames. This group will arrive at approximately 10:00 a.m.  
(District-1.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B096-104.)

Council Member Wolfsheimer welcomed the group.

\* ITEM-50: (O-87-130) ADOPTED AS ORDINANCE O-16810 (New Series)

Incorporating a portion of Lots 3 and 4, Section 2, Township 15 South, Range 3 West, SBBM (an 18.5-acre site), located on the south side of Flanders Drive between Camino Santa Fe and Dancy Road, into Zone R1-5000 (HR).  
(Case-85-0551. Mira Mesa Community Area. District-5. Introduced on 2/3/87. Council voted 6-0. Districts 2, 4 and 8 not present.)

FILE LOCATION: ZONE Ord No.

COUNCIL ACTION: (Tape location: A090-104.)

CONSENT MOTION BY GOTCH TO DISPENSE WITH THE READING AND ADOPT.

Second by Struiksma. Passed by the following vote:

Wolfsheimer-yea, Cleator-not present, McColl-yea, Jones-not present, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-51: (O-87-122) CONTINUED TO FEBRUARY 23, 1987

Incorporating Lot A-225 and the southerly 250 ft. of Lot A-226, Addition No. 5 to San Ysidro, Map-1405 (a 1.53-acre site), located on the south side of Vista Lane between Dairy Mart and Averil Roads, into Zone R-3000.

(Case-86-0495. San Ysidro Community Area. District-8.  
Introduced on 2/3/87. Council voted 6-0. Districts 2, 4  
and 8 not present.)

FILE LOCATION: ZONE Ord No.

COUNCIL ACTION: (Tape location: A070-090.)

MOTION BY BALLESTEROS TO CONTINUE TO FEBRUARY 23, 1987, AT HER  
REQUEST FOR FURTHER REVIEW. Second by McCarty. Passed by the  
following vote: Wolfsheimer-yea, Cleator-not present,  
McColl-yea, Jones-not present, Struiksma-yea, Gotch-yea,  
McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

\* ITEM-52: (O-87-103) ADOPTED AS ORDINANCE O-16811 (New  
Series)

Applying a Pedestrian/Commercial Overlay Zone (PCOZ) to  
Area "D" of the Hillcrest Business District, intended to  
regulate the placement and development of buildings,  
parking and vehicular access in pedestrian-oriented  
commercial districts proposed in the adopted community  
plan.

(Uptown Community Area. District-2. Introduced on 2/3/87.  
Council voted 8-0. District 2 not present.)

FILE LOCATION: ZONE Ord No.

COUNCIL ACTION: (Tape location: A090-104.)

CONSENT MOTION BY GOTCH TO DISPENSE WITH THE READING AND ADOPT.  
Second by Struiksma. Passed by the following vote:  
Wolfsheimer-yea, Cleator-not present, McColl-yea, Jones-not  
present, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea,  
Mayor O'Connor-yea.

\* ITEM-100: (R-87-1423) ADOPTED AS RESOLUTION R-267676

Awarding a contract to Mettler Construction Company in  
the amount of \$36,883.98 for the Reconstruction of San  
Onofre Terrace Drain; authorizing the expenditure of an  
amount not to exceed \$62,500 from Capital Outlay Fund  
30245 CIP-17-001, Annual Allocation - Minor Drain  
Improvements, for said project and related costs;  
authorizing the City Auditor and Comptroller, upon  
advice from the administering department, to transfer  
excess budgeted funds, if any, to the appropriate  
reserves. (BID-7634M)

(Southeast San Diego Community Area. District-4.)

CITY MANAGER REPORT: This project will replace and  
realign the existing storm drain system which has failed

under the residence at 5570 San Onofre Terrace. The drain empties into a natural ditch at the back of the property. The installation of an 18-inch RCP storm drain and realignment will prevent street flooding and potential undermining of private property. Eight bid packages were issued. Two bids were received. The low bid was received from Mettler Construction Co., for \$36,883.98 which was 50.5 percent over the City's estimate of \$24,500. Based upon the relatively small size of this project, the tunneling of the storm drain under two existing block walls, and the filling of the old storm drain under the residence, it is felt that readvertising for bids would not result in securing a significantly lower bid, but rather would delay work on the project which should be constructed now. Staff recommends that the contract be awarded to the low bidder, Mettler Construction Co., in the amount of \$36,883.98.  
Aud. Cert. 8700617.

FILE LOCATION: CONT Mettler Construction Company  
CONFY87-1

COUNCIL ACTION: (Tape location: A104-113.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksmay-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

\* ITEM-101: (R-87-1424) ADOPTED AS RESOLUTION R-267677

Awarding a contract to M. Arrieta and Son, Inc. in the amount of \$693,558.20 for the construction of a storm drain in University Avenue and 38th Street; authorizing the City Auditor and Comptroller to transfer \$198,000 from Gas Tax Fund, CIP-52-337, Sea World Drive - Street Reconstruction to Gas Tax Fund, CIP-52-110.2, Beyer Boulevard - Route 117 to North City Limit, and transfer \$198,000 from General Revenue Sharing (Fed-RSC) CIP-52-110.2, Beyer Boulevard - Route 117 to North City Limit to CIP-12-055, University Avenue Drain; authorizing the expenditure of an amount not to exceed \$198,000 from CIP-12-055, University Avenue Drain, to supplement funds previously authorized by Resolution R-267008, adopted on November 10, 1986, for said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-7660)  
(Mid-City Community Area. District-3.)

CITY MANAGER REPORT: Under this project, a much needed storm drain will be installed in University Avenue from Wilson Avenue to 38th Street. Currently, there is a flooding problem when it rains because the street is very flat, numerous street resurfacings have reduced curb heights which have reduced water carrying capacity, and the present drain system is an obsolete underdrain system. Each of these deficiencies will be addressed by this project to eliminate flooding. As a part of this project, portions of University Avenue will receive new sidewalk, new curb returns, and new pedestrian ramps. The low bid for this project is 38.9 percent over the estimate. Twenty-eight bid packages were issued and seven bids were received. The four low bids ranged from \$693,558 to \$747,403. Because of the small difference in bid amounts, it is very unlikely lower bids would be received if the project were rebid. Staff recommends accepting the low bid of M. Arrieta and Sons, Inc.

Aud. Cert. 8700616.

FILE LOCATION: CONT M.Arrieta and Son, Inc. CONTFY87-1

COUNCIL ACTION: (Tape location: A104-113.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksmay-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

\* ITEM-102:

Two actions relative to awarding contracts:

Subitem-A: (R-87-1429) ADOPTED AS RESOLUTION R-267678

John C. Henberger Co. for the purchase of fusees, for an estimated cost of \$157,352, including tax and terms, as may be required for a period of one year beginning January 29, 1987 through January 28, 1988, with an option to renew the contract for an additional one year period. (BID-7870C)

Subitem-B: (R-87-1427) ADOPTED AS RESOLUTION R-267679

American Glass/U.S. Auto Glass for furnishing auto safety glass, for an estimated cost of \$30,000, as may be required for the period of one year beginning May 1, 1987 through April 30, 1988, with an option to renew the contract for an additional one year period with an escalation price not to exceed 10 percent of prices in effect at the end of the contract period. (BID-7062)

FILE LOCATION: MEET CONTFY87-2

COUNCIL ACTION: (Tape location: A104-113.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

\* ITEM-103:

Two actions relative to awarding contracts:

Subitem-A: (R-87-1428) ADOPTED AS RESOLUTION R-267680

Ingersoll Rand Equipment Sales for the purchase of one pavement milling machine for an actual cost of \$97,520, including tax. (BID-7671)  
Aud. Cert. 8700630.

Subitem-B: (R-87-1425) ADOPTED AS RESOLUTION R-267681

For the purchase of two forklifts, for an actual cost of \$49,019.70, including tax, as follows: (BID-7639)  
1. Hyster Company for Item 1, one 14,000 lb forklift.  
2. Quality Lift Trucks for Item 2, one 5,000 lb. forklift, plus a powershift transmission option.  
Aud. Cert. 8700626.

FILE LOCATION: MEET CONTFY87-3

COUNCIL ACTION: (Tape location: A104-113.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

\* ITEM-104: (R-87-1579) ADOPTED AS RESOLUTION R-267682

Inviting bids for services of a vendor, or vendors, to furnish one supervisor's sedan, three mini-vans, and audio visual training equipment for the Drug Abuse and Gang Intervention Programs; authorizing the execution of a contract with the lowest responsible and reliable bidder; authorizing the expenditure of funds not to exceed \$86,000 from Fund 10132, for the purchase of one supervisor's sedan, three mini-vans, audio visual training equipment and supplies, office supplies, and related costs.

CITY MANAGER REPORT: On May 27, 1986, the City Council resolved to set aside up to 25 percent of the Seized and Forfeited Assets Account 10132 for the implementation of Drug Abuse and Gang Intervention Programs (Resolution R-265827).

Staffing for these programs has been assigned and now equipment and supplies are needed. To date, \$68,000 has been accumulated in this account and is available for this purpose. Approval is therefore requested for the purchase of one supervisor's sedan (approximate cost \$12,500); three mini-vans (approximate cost \$41,100); audio visual training supplies (approximate cost \$9,000); and officer training and miscellaneous office expenses (approximate cost \$5,400).

Aud. Cert. 8700640.

FILE LOCATION: MEET CONFY87-1

COUNCIL ACTION: (Tape location: A104-113.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksmay-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

\* ITEM-105:

Two actions relative to the final subdivision map of Carmel Mountain Ranch Unit 3, a 70-lot subdivision located northeasterly of I-15 and North City Parkway:  
(Carmel Mountain Ranch Community Area. District-1.)

Subitem-A: (R-87-1517) ADOPTED AS RESOLUTION R-267683

Authorizing the execution of a subdivision improvement agreement with Carmel Mountain Ranch for the installation and completion of public improvements.

Subitem-B: (R-87-1516) ADOPTED AS RESOLUTION R-267684

Approving the final map.

FILE LOCATION: SUBD Carmel Mountain Ranch Unit 3  
CONFY87-1

COUNCIL ACTION: (Tape location: A104-113.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksmay-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

\* ITEM-106:

Four actions relative to the final subdivision map of McMillan Scripps Three Unit 9, an 82-lot subdivision located northwesterly of Scripps Trail Boulevard and Semillon Boulevard:  
(Scripps Miramar Ranch Community Area. District-5.)

Subitem-A: (R-87-1515) ADOPTED AS RESOLUTION R-267685  
Authorizing the execution of a subdivision improvement  
agreement with McMillin Scripps Three for the installation  
and completion of public improvements.

Subitem-B: (R-87-1514) ADOPTED AS RESOLUTION R-267686  
Approving the final map.

Subitem-C: (R-87-1513) ADOPTED AS RESOLUTION R-267687  
Vacating an unneeded drainage easement affecting a portion  
of Section 34, Township 14 South, S.B.M., pursuant to  
Section 8300 et seq. of the Streets and Highways Code.

Subitem-D: (R-87-1512) ADOPTED AS RESOLUTION R-267688  
Approving the acceptance by the City Manager of that grant  
deed of McMillin Scripps Two, granting to City Lot 709 of  
McMillin Scripps Three Unit No. 9.

FILE LOCATION:

Subitems A and B SUBD Mcmillin Scripps Three  
Unit 9,

Subitem-C DEED F-3772,

Subitem-DEED

F-3773 CONTFY87-1 DEEDFY87-2

COUNCIL ACTION: (Tape location: A104-113.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by McCarty. Passed by  
the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea,  
Jones-not present, Struiksmay-yea, Gotch-yea, McCarty-yea,  
Ballesteros-yea, Mayor O'Connor-yea.

ITEM-107:

Five actions relative to the final subdivision map of North  
City West Neighborhood 7 Unit No. 12, an 80-lot subdivision  
located northeasterly of El Camino Real and Del Mar Heights  
Road:  
(North City West Community Area. District-1.)

Subitem-A: (R-87-1539) ADOPTED AS RESOLUTION R-267689  
Authorizing the execution of a subdivision improvement  
agreement with Pardee Construction Company for the  
installation and completion of public improvements.



Subitem-B: (R-87-1538) ADOPTED AS RESOLUTION R-267690  
Approving the final map.

Subitem-C: (R-87-1576) ADOPTED AS RESOLUTION R-267691  
Approving the acceptance by the City Manager of a grant deed of Pardee Construction Company, granting to the City Parcel "F" of N.C.W. Neighborhood 7 Unit 12.

Subitem-D: (R-87-1540) ADOPTED AS RESOLUTION R-267692  
Authorizing the execution of an agreement with Pardee Construction Company for the operation, maintenance and removal of temporary sewer facilities in the above subdivision.

Subitem-E: (R-87-1577) ADOPTED AS RESOLUTION R-267693  
Authorizing the execution of an agreement with Pardee Construction Company for the acquisition of off-site sewer easements for the above subdivision.

CITY MANAGER REPORT: Providing permanent sewer service to Pardee's North City West Neighborhood 7 Unit 12 requires construction of approximately 1.8 miles of off-site gravity sewer main. Construction of the permanent system is a condition of approval of N.C.W. Neighborhood 7 Unit No's 11, 12, 13 and 14, per Planning Commission Resolution No. 5737 (TM-85-0259). Right-of-way for the permanent off-site gravity sewer system may require condemnation. Pardee desires to consummate the sale and occupancy of homes in North City West Neighborhood 7 Unit 12, and has petitioned the City for approval of a temporary sewer force main and pump station. The purpose of this agreement is to establish the condition for which a temporary system will be allowed. Pardee has deposited \$17,300 with the City to guarantee periodic payments for the operation and maintenance costs, and the removal of the temporary system after completion of the permanent system. Pardee has posted a Performance Bond with the City in the amount of \$580,203 to secure construction of the off-site sewer. Pardee has also submitted a \$275,000 cash deposit to the City to cover the acquisition cost of the right-of-way be condemnation.

WU-M-87-109.

FILE LOCATION:

Subitems A, B, D, and E SUBD North City West  
Neighborhood 7 Unit No. 12,

Subitem-C DEED

F-3774 CONTFY87-3 DEEDFY87-1

COUNCIL ACTION: (Tape location: A115-179.)

MOTION BY WOLFSHEIMER TO ADOPT AND DIRECT THE CITY MANAGER TO LOOK INTO FIRE SAFETY FOR THE CUL DE SAC AND TO IMPOSE A CONDITION WHEN THE GRADING PERMIT IS ISSUED FOR RESTORATION AND REHABILITATION OF THE SLOPES. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksmayea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

\* ITEM-108: (R-87-1586) ADOPTED AS RESOLUTION R-267694

Authorizing the execution of a Certificate of Ownership for a proposed line adjustment in a portion of Parcel "00 ", Lot 19, Rancho Mission (Parcel Map TM-86-0188), consenting to the preparation and recordation of the map.  
(Located southeasterly of University Avenue and College Avenue. Mid-City Community Area. District-3.)

FILE LOCATION: SUBD Parcel Map TM-86-0188

COUNCIL ACTION: (Tape location: A104-113.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksmayea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

\* ITEM-109:

Two actions relative to the partial release of surety and time extension for Bernardo Heights Unit No. 20:  
(Rancho Bernardo Community Area. District-1.)

Subitem-A: (R-87-1580) ADOPTED AS RESOLUTION R-267695

Authorizing the City Manager to release a portion of the surety issued by Insurance Company of the West, in the form of Performance Bond No. 13-36-01, so that the same is reduced as follows:

1. For faithful performance, to the sum of \$226,419;
2. For the benefit of the contractor, subcontractor and to persons renting equipment or furnishing labor or materials, to the sum of \$113,209.

Subitem-B: (R-87-1581) ADOPTED AS RESOLUTION R-267696

Granting an extension of time to December 3, 1987 to W. Wolf Properties, Inc., subdivider, to complete the improvements required in Bernardo Heights Unit No. 20.

CITY MANAGER REPORT: On December 3, 1984, the City entered into an agreement with Genstar Development, Inc. for the construction of public improvements for Bernardo Heights Unit No. 20. The property is now owned by W. Wolf Properties, Inc. The new owner has signed an amended agreement to assume all of the obligations of the original subdivider and complete the required work. The amended agreement provided for the work to be completed by December 3, 1986. Performance Bond No. 13-36-01, issued by Insurance Company of the West, in the amount of \$712,083, was provided by the new subdivider. The subdivider has requested a partial release of surety and an extension of time to December 3, 1987, in which to complete the required improvements. Ninety percent of the work has been completed to the satisfaction of the City Engineer. The job order account has sufficient funds to cover anticipated future costs to the City. There are no mechanic's liens filed against the surety and there has not been a previous partial release. In accordance with Council Policy 800-11 and 600-21, respectively, it is recommended that the surety be reduced, approximately 68 percent, to \$226,419, and since the improvements to be delayed are not necessary to serve the adjacent development or the general public, that the time extension be granted.

FILE LOCATION: SUBD Bernardo Heights Unit No. 20

COUNCIL ACTION: (Tape location: A104-113.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksmay-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

\* ITEM-110:

Two actions relative to the Kettner Boulevard (Ash Street to Laurel Street) Underground Utility District:  
(Centre City Community Area. District-8.)

Subitem-A: (R-87-1503) ADOPTED AS RESOLUTION R-267697

Designating March 23, 1987, as the date upon which all property in the Kettner Boulevard (Ash Street to Laurel Street) Underground Utility District must be ready to receive underground service and June 23, 1987, as the date for the removal of all overhead utility facilities.

Subitem-B: (R-87-1504) ADOPTED AS RESOLUTION R-267698

Authorizing the City Auditor and Comptroller to open Fund No. 78015 for the purpose of depositing Public Utilities

Commission Case 8209 Utility Undergrounding Allocation Funds for the Kettner Boulevard (Ash Street to Laurel Street) Underground Utility District; authorizing the City Treasurer to receive these funds from the San Diego Gas and Electric Company; authorizing payment to all qualified property owners in the Kettner Boulevard (Ash Street to Laurel Street) Underground Utility District as reimbursement for electrical service underground conversion work done on private property; authorizing the City Auditor and Comptroller to return to San Diego Gas and Electric Company any undisbursed funds upon written notice that all electric service conversions within a particular district have been completed.

CITY MANAGER REPORT: The Kettner Boulevard (Ash Street to Laurel Street) Underground Utility District was created by the City Council on May 7, 1985. The Resolution creating the District left the matter of the actual dates for converting services and removing overhead facilities to be established later. This action will set March 23, 1987 as the Customer Ready Date, which will require that, upon this date, all affected customers within the Underground Utility District must have their services prepared to receive service from the new underground system.

This action will also establish June 23, 1987 as the Pole Removal Date, which will require that, upon this date, all overhead facilities within the Underground Utility District must be removed. The utility companies concur with these proposed dates. Council Policy 800-2 provides for the use of California Public Utilities Commission Case 8209 Funds to assist in financing the conversion of private electric service laterals in all underground utility districts. Funding consists of a lump-sum reimbursement based upon the length of the electrical service trench. The property owner remains responsible for all remaining conversion costs.

FILE LOCATION: STRT K-141

COUNCIL ACTION: (Tape location: A104-113.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

\* ITEM-111: (R-87-1499) ADOPTED AS RESOLUTION R-267699

Vacating the pedestrian easement in a portion of Parcel 4 of Parcel Map PM-13722, pursuant to Section 8330 et seq. of

the California Streets and Highways Code.

(South Bay Terraces Community Area. District-4.)

CITY MANAGER REPORT: The present owners of Parcel 4 of Parcel Map PM-13722 request abandonment of a pedestrian easement encumbering a portion of their property. This easement, located on Vesuvia Way north of Parkside Avenue in the South Bay Terraces area, was acquired in 1982 at no cost to the City. All appropriate City departments have reviewed this application and concluded that there is no present or prospective need for the easement which has never been used.

FILE LOCATION: DEED F-3775 DEEDFY87-1

COUNCIL ACTION: (Tape location: A104-113.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-112: (R-87-1544) ADOPTED AS RESOLUTION R-267700

Approving the construction arrangements made by the County Water Authority for the construction of the Mira Mesa Branch Library Low-Water-Use Demonstration Garden, as follows:

ITEM	ESTIMATED COSTS	SUPPLIER
Irrigation Supplies and Installation	\$11,399.00	Sun Country Landscape
Decorative Bark	6,996.00	Butler Mill, Inc.
Concrete Steppers	288.50	Hazard Contracting
Organic Fertilizer	414.12	Organic Fertilizer, Inc.
Plant Materials	3,267.48	Spring Time Nursery
Plant Materials	1,885.71	Moenning's Nursery
Total	\$24,250.81	

(Mira Mesa Community Area. District-5.)

CITY MANAGER REPORT: On June 24, 1985, the City Council authorized the City Manager to request that the San Diego County Water Authority (CWA) proceed with the design and construction of a low-water-use demonstration garden at the Mira Mesa Branch Library, subject to Council approval of the construction contract and the estimated cost of each contract. Bids received by CWA for construction of the Mira Mesa Garden, however, exceeded the construction estimates provided by the project designer. In order to construct the project within the budget, arrangements were made for City Forces to supply some of the labor required to complete the garden, while CWA would purchase supplies needed for the project. CWA construction purchases are

listed above.

WU-U-87-094.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A180-225.)

MOTION BY STRUIKSMA TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

\* ITEM-113: (R-87-1479) ADOPTED AS RESOLUTION R-267701

Authorizing the City Manager to permit an exhibition game at San Diego Jack Murphy Stadium between the San Diego Padres and San Diego State University to be played on April 3, 1987, for which no admission fee will be charged, provided that all other terms and conditions of the City's agreement with the Padres for use of the Stadium will be followed.

(Mission Valley Community Area. District-5.)

CITY MANAGER REPORT: On January 9, 1987, the San Diego Padres requested permission to allow free admission to the eighth annual San Diego Padres versus San Diego State University exhibition baseball game scheduled for April 3, 1987. The Padres will donate their share of concession receipts, less game expenses, to the San Diego State University Aztec baseball program. The City's game expenses will be offset by the City's share of parking revenues. This is the same formula approved by the City Council for the 1984, 1985 and 1986 Padres - Aztec exhibition baseball games.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A104-113.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

\* ITEM-114: (R-87-1501) ADOPTED AS RESOLUTION R-267702

Authorizing the transfer of an amount not to exceed \$87,500 from 1984 CDBG contingency funds (Fund 18520, Dept. 5821, Org. 2101) to the Southeast/Barrio Logan Enterprise Zone Program (Fund 18520, Dept. 5817, Org. 1714) in order to provide necessary funds for the continuation of the Enterprise Zone Program.

(Southeast San Diego, Barrio Logan and Centre City

Community Areas. Districts-4 and 8.)

CITY MANAGER REPORT: This Resolution will transfer funds allocated by the Council in the 1986 Budget, from 1984 CDBG Contingency Funds (Fund 18520, Dept. 5821, Org. 2101) to the Southeast/Barrio Logan Enterprise Zone Program (Fund 18520, Dept. 5817, Org. 1714). This is a ministerial action necessary for the continuation of the Enterprise Zone Program.

Aud. Cert. 8700612.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A104-113.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

\* ITEM-115: (R-87-1488) ADOPTED AS RESOLUTION R-267703

Authorizing the expenditure of an amount not to exceed \$56,225 from General Services Operational Funds from the Miramar Landfill Program Element 53631, to cover the cost of acquiring temporary access rights to the Miramar Landfill for a one-year period.

(Clairemont Mesa Community Area. District-5.)

CITY MANAGER REPORT: The authorization of \$56,225 is requested as payment for the use of a temporary road easement across private property as access to the Miramar Landfill. This roadway lies at the northerly extension of Mercury Court just north of Clairemont Mesa Boulevard, west of I-163. This roadway has been used by City refuse trucks and private carriers as the only access route since 1960. Since 1977, this has been accomplished by a series of one-year temporary access road easements, the latest under an agreement approved by the City Council in January 1983. This most recent agreement provided the City with one-year use of the road at fair market value followed by four one-year options at annual rent increases based on the Consumer Price Index. This agreement expires in October 1987. The Property Department will attempt to have the agreement extended until a permanent route at the Convoy Street Extension, currently scheduled for completion in 1988, is available.

Aud. Cert. 8700593.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A104-113.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea,

Jones-not present, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

\* ITEM-116: (R-87-1495) ADOPTED AS RESOLUTION R-267704

A Resolution approved by the City Council in Closed Session on Tuesday, January 27, 1987 by the following vote:

Wolfsheimer-yea; Cleator-yea; McColl-yea; Jones-yea; Struiksma-yea; Gotch-yea; McCarty-yea; Martinez-yea; Mayor-yea.

Authorizing the City Manager to pay the sum of \$70,000 in the settlement of each and every claim against the City, its agents and employees, resulting from the personal injury to James Donahue, (Superior Court Case No. 549149, James Donahue, et al. v. City of San Diego, et al.); authorizing the City Auditor and Comptroller to issue one check in the amount of \$70,000 made payable to James J. Donahue and his attorney of record, Steven Denton, in full settlement of all claims.

CITY MANAGER REPORT: This constitutes the full and final settlement of all claims against the City of San Diego as a result of an accident on June 8, 1985.

Aud. Cert. 8700619.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A104-113.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

\* ITEM-117: (R-87-1492) ADOPTED AS RESOLUTION R-267705

Establishing a truck parking prohibited zone, restricting the parking of vehicles with a gross vehicle weight rated capacity of over 10,000 pounds, on Siempre Viva Road, Otay Center Drive, and Roll Drive in the Otay International Center; authorizing the installation of the necessary signs and markings; declaring that the hereinabove imposed regulations shall become effective upon the installation of such signs.

(Otay Mesa Community Area. District-8.)

CITY MANAGER REPORT: Mr. Eugene C. Kountz, Project Manager of the Otay Mesa International Center, wrote requesting assistance with the problem of semi-trucks and trailers which are being parked on Siempre Viva Road, Otay Center Drive, and



Roll Drive for extended periods. The trucks and trailers which are left on the street are not related to the Otay International Center. Our staff investigation noted that trucks and trailers were parked on the site. The requestees represent 100 percent of the affected frontage and have submitted a petition to initiate a truck parking prohibition. Staff believes there is justification for this prohibition since there is a demonstrated truck parking problem.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A104-113.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

\* ITEM-118: (R-87-1477) ADOPTED AS RESOLUTION R-267706

Establishing a parking time limit of two hours between the hours of 8:00 a.m. and 6:00 p.m., Sundays and certain holidays excepted, on the south side of Pearl Street from Cuvier Street to the alley west of Cuvier Street; authorizing the installation of the necessary signs and markings; declaring that the hereinabove imposed regulations shall become effective upon the installation of such signs.

(La Jolla Community Area. District-1.)

CITY MANAGER REPORT: The proposed two-hour time limit zone was requested by the property owners representing 100 percent of the abutting frontage. Recent parking surveys determined that the average occupancy was 83 percent and the average stay per vehicle was 3.1 hours. These meet the minimum standards of Council Policy 200-4 for establishing two-hour time limit parking.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A104-113.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

\* ITEM-119: (R-87-1543) ADOPTED AS RESOLUTION R-267707

Authorizing the execution of an agreement with Almgren and Koptionak, Inc. for engineering design services for the restoration of Sewer Pump Station No. 40; authorizing the

expenditure of an amount not to exceed \$25,000 from Sewer Revenue Fund 41506 (CIP-46-106, Sewer Pump Station Restoration), for providing funds for the above project. (Point Loma Community Area. District-2.)

CITY MANAGER REPORT: Sewer Pump Station No. 40 is in need of replacement pumps, electric controls, and a new wet well to continue handling existing and future flows. Due to the scope and complexity of the restoration, professional consulting engineering services are needed. Three consultants were selected from the "As-Needed" list of Civil Engineers for Water and Sewer Utilities. This list was approved by the Consultant Nominating Committee in accordance with Council Policy 300-7, on July 23, 1986. Of the three consultants interviewed, Almgren and Koptionak was selected on October 14, 1986. The agreement provides for the preparation of a predesign report, plans, specifications, cost estimate, and construction assistance. The consultant's fee is \$25,000. Included in this fee is \$2,800 for sub consulting work by the engineering firm of RJM and Associates for the electrical design. Aud. Cert. 8700595. WU-U-87-093.

FILE LOCATION: MEET CCONFY87-1

COUNCIL ACTION: (Tape location: A104-113.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

\* ITEM-120: (R-87-1535) ADOPTED AS RESOLUTION R-267708

Authorizing the execution of an agreement with BSI Consultants, Inc., for consultant services to prepare preliminary schematic plans and detailed cost estimates for potential transportation projects contained in the Mission Valley Community Plan; authorizing the City Manager to accept a grand total of \$30,000 in donations for the purpose of preparation of the Mission Valley Public Facilities Financing Plan as follows: Bond Ranch \$5,000; Cal Mat Company, \$5,000; Chevron Land and Development Company, \$5,000; May Centers, Inc., \$5,000; Mission Valley One, Ltd., \$5,000 and Trammel Crow Associated Companies, \$5,000; authorizing the City Auditor and Comptroller to accept donations to establish a Mission Valley Public Facilities Development Impact Fee Fund (Fund No. 39065) and to establish a policy that the fund shall accrue interest;

authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$20,000 from Nondepartmental Expenditures (Fund 10001, Dept. 901); transferring the above described \$30,000 in contributions and \$75,000 per the settlement agreement between the City and the Radisson Hotel (Resolution R-264730) from Trust Fund No. 63021, Account No. 9022 into the Mission Valley Public Facilities Development Impact Fee Fund 39065; authorizing the expenditure of an amount not to exceed \$57,500 from this newly established fund source (Fund 39065) for the purpose of providing funds for the above project.

(Mission Valley Community Area. Districts-2, 3 and 5.)

CITY MANAGER REPORT: The Council adopted Mission Valley Community Plan (Resolution R-263536) identifies numerous transportation improvement projects. These improvements will provide the new and widened streets necessary to accommodate the additional traffic resulting from the new land uses shown in the Community Plan. On July 8, 1985, Council adopted Ordinance O-16460, limiting the issuance of building permits within the Mission Valley Community Plan area until a financing plan for public improvements has been adopted by Council. This consultant agreement will provide the services of a consulting professional Civil Engineer to develop preliminary schematic plans and detailed cost estimates for the various needed transportation projects identified in the Council approved Community Plan.

Existing City staff is not available for this project at this time as they are already committed to other projects. Staff recommends this agreement with the firm of BSI Consultants, Inc. to provide engineering services necessary for this project. The consultant was chosen in accordance with Council Policy 300-7.

In order to provide funds for this first phase of a financing plan for Mission Valley, several companies have donated funds for this study. This action will also acknowledge the generous contributions of \$5,000 each from the following six companies for a total contribution of \$30,000: 1) Bond Ranch, 2) Cal Mat Co., 3) Chevron Land and Development Co., 4) May Centers, Inc., 5) Mission Valley One, Ltd., and 6) Trammel Crow Associated Companies. These funds will be deposited in a specific fund for use in Mission Valley only and that fund will accrue interest to be used for the purposes of the fund.

Aud. Cert. 8700603.

FILE LOCATION: MEET CCONFY87-1

COUNCIL ACTION: (Tape location: A104-113.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by McCarty. Passed by

the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

\* ITEM-121: (R-87-1491) ADOPTED AS RESOLUTION R-267709

Authorizing the execution of an agreement with the State of California (CalTrans) for the design and construction of a traffic signal at the intersection of the northbound I-5 on/off ramps and Palm Avenue; authorizing the expenditure of an amount not to exceed \$41,000 from Capital Outlay Fund 30245, CIP-68-001, Cooperative Signal Projects, for the purpose of providing funds for the above project.  
(Otay Mesa - Nestor Community Area. District-8.)

CITY MANAGER REPORT: This City/State agreement is for the installation of a traffic signal at the intersection of the northbound I-5 on/off ramps and Palm Avenue. Recent traffic studies made of this intersection indicated that the installation of a traffic signal is necessary to assign right-of-way to vehicles and pedestrians, as well as alleviate an unfavorable accident experience. The distribution of construction costs for this project will be 75 percent State and 25 percent City. The City's share of the project costs will not exceed the amount of \$41,000.

Aud. Cert. 8700401.

FILE LOCATION: MEET CONFY87-1

COUNCIL ACTION: (Tape location: A104-113.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

\* ITEM-122: (R-87-1533) ADOPTED AS RESOLUTION R-267710

Authorizing a third amendment to the agreement with Roger Deweese, Inc., and Associates, for professional services required for the preparation of construction documents and construction observation for the South Shores Area of Mission Bay Park; authorizing the expenditure of an amount not to exceed \$58,500 from Mission Bay Revenue Fund No. 10504, CIP-22-024.1, South Shores Development Phase I, solely and exclusively to supplement funds previously authorized by Resolutions R-254612, R-261319 and R-264818 for the above project; authorizing the City Auditor and Comptroller, upon advice from the administering department,

to transfer excess budgeted funds, if any, to the appropriate reserves.

(Mission Bay Community Area. District-6.)

CITY MANAGER REPORT: On July 14, 1981, the City Council authorized an agreement with Roger DeWeese, Inc., and Associates for the professional services required for the preparation of a General Development Plan and an EIR for the South Shores area of Mission Bay Park. The agreement was first amended on August 16, 1984 for additional services required to modify the master plan and the EIR. The second amendment to the agreement provided the additional professional services required to prepare construction documents and construction observation. The improvements will include construction of a 9 acre lagoon with shore protection, 10 lane boat launching facility, boarding docks, parking lot with access road and a unisex comfort station. A majority of the South Shores area consists of an old sanitary landfill. The third amendment to the agreement will include the professional services necessary to prepare a methane gas emissions control plan and a solid waste management plan including location of the sanitary landfill in areas to be excavated. This work is required to satisfy conditions made by various regulatory agencies for construction of public improvements over this shallow landfill.

Aud. Cert. 8700641.

FILE LOCATION: MEET CCONFY87-1

COUNCIL ACTION: (Tape location: A104-113.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksmay-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

\* ITEM-123: (R-87-1487) ADOPTED AS RESOLUTION R-267711

Authorizing the execution of an agreement with Ferver Engineering Company for professional engineering services in connection with the investigation and analysis of the Ocean Beach Pier; authorizing the expenditure of an amount not to exceed \$30,000 from CIP-29-600.0, Ocean Beach Pier - Improvements, Fund 30245, for the purpose of providing funds for the above project.

(Ocean Beach Community Area. District-2.)

CITY MANAGER REPORT: Construction of the Ocean Beach fishing pier commenced in May 1965 and was completed in July 1966. The pier is in the form of a Tee and extends into the Pacific Ocean. It is 1,971 feet in length and has a northerly and southerly leg

of 191 feet and 368 feet, respectively. The pier is 20 feet wide, except at the concession stand where it widens to accommodate public restrooms and other pier facilities. An inspection conducted on May 8, 1985 concluded that the pier was in fair condition overall with localized areas of moderately severe corrosion and spalling. However, due to the exposure of steel reinforcement in this corrosive marine environment, deterioration has increased dramatically in the past 18 months. As a consequence, immediate rehabilitation is required if the structure is to be kept in service for more than a few years. This agreement with Ferver Engineering Company provides for a comprehensive survey and structural analysis of the pier, recommendations for necessary rehabilitation work, and a preliminary cost estimate. This information is necessary for design processes as well as for seeking state grant monies. Ferver Engineering Company originally designed this pier and two other similar piers along the California coast. They have recently completed a similar survey of the Aliso Beach pier (south of Laguna Beach) that was built about the same time and has similar problems. In the interest of time and in recognition that the expertise to perform this work is not now available within present City staff, it is recommended that, in conformance with paragraph 3A of Council Policy 300-7, the firm of Ferver Engineering Company be selected as sole source consultant for this project.

Aud. Cert. 8700606.

FILE LOCATION: MEET CCONFY87-1

COUNCIL ACTION: (Tape location: A104-113.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksmay-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

\* ITEM-124: (R-87-1486) ADOPTED AS RESOLUTION R-267712

Authorizing the execution of an agreement with Friedson/Robbins and Associates, for professional design services for Fire Station No. 41; authorizing the expenditure of an amount not to exceed \$75,500 from CIP-33-028.0, FBA Mira Mesa Fund 79006, for providing funds for the above project.

(Mira Mesa Community Area. District-5.)

CITY MANAGER REPORT: Capital Improvement Project CIP-33-028.0 provides for land acquisition, design, construction, and furnishing of Fire Station No. 41 located at

Carroll Canyon and Scranton Roads in West Mira Mesa. The facility will accommodate one engine company, one aerial ladder truck company and eight to ten fire personnel. The site was acquired with Capital Outlay Funds in 1984 for \$24,000. (Resolution R-252106 and Resolution R-259808). In accordance with Council Policy 300-7 and Administrative Regulation 25.60, Consultant Advertisements were published in the Daily Transcript on August 27th and September 3, 1986. Of 24 firms responding, five were selected for further consideration by the Nominating Committee.

Interviews were conducted on October 14, 1986 with the firm of Friedson/Robbins and Associates being recommended for professional services. Fee negotiations were consummated on December 10th resulting in mutually acceptable terms and conditions including the Base Fee of \$70,000 and additional services (if needed) of \$5,500. The architect's responsibilities include soils investigation, plans and specifications, and construction phase services. Consultants approved to assist with the project, and their portion of the total fee, are: Soils Investigation, Mark Hetherington (2.5 percent), Civil Engineering, James Algert (6.6 percent); Structural, Ray H. Flores (10 percent); Mechanical and Electrical, Mattson-Beaudin (23.9 percent) and Landscaping, POD, (3.4 percent).

Aud. Cert. 8700608.

FILE LOCATION: MEET CCONFY87-1

COUNCIL ACTION: (Tape location: A104-113.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksmay-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

\* ITEM-125: (R-87-1402) ADOPTED AS RESOLUTION R-267713

Authorizing the execution of an agreement with VTN Southwest, Inc. for consultant services, to develop preliminary schematic plans of local and collector streets to reduce any conflict resulting from future construction of S.R. 125 and S.R. 117 (I-905); authorizing the expenditure of an amount not to exceed \$15,000 from Otay Mesa Facilities Development Fund No. 39062, for the above project.

(Otay Mesa Community Area. District-8.)

CITY MANAGER REPORT: The Council adopted Otay Mesa Community Plan identifies the need for major transportation improvement

projects. These improvements, including proposed S.R. 117 (I-905) and S.R. 125, will accommodate the additional traffic resulting from the new land uses shown in the Community Plan. The consultant agreement will provide the services of a consulting professional Civil Engineer to develop preliminary schematic plans of Local and Collector Streets to reduce any conflict resulting from future construction of S.R. 117 (I-905), S.R. 125, and the ongoing construction of Local and Collector Streets by subdivision activity within the freeway corridor. Existing City staff is not available for this project at this time as they are already committed to other projects. Staff recommends this agreement with the firm of VTN Southwest, Inc. to provide engineering services for this project. The consultant was chosen in accordance with Council Policy 300-7. Aud. Cert. 8700568.

FILE LOCATION: MEET CCONFY87-1

COUNCIL ACTION: (Tape location: A104-113.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksmay-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

\* ITEM-126: (R-87-1537) ADOPTED AS RESOLUTION R-267714

Approving Change Order No. 1, dated 11/28/86, issued in connection with the contract with Cal-Southwest Construction, Inc., for the Pacific Beach Trunk Sewer Manhole Replacement Project, Phase I, amounting to a net decrease in the contract price of \$29,492.85. (Pacific Beach Community Area. District-6.)

CITY MANAGER REPORT: The Pacific Beach Trunk Sewer Manhole Replacement Project was intended to replace badly deteriorated manholes that were collapsing under normal traffic. The collapsed manholes were causing backups in the trunk sewer line and spills into Mission Bay. This project was designed and built as an urgent measure. After construction began, it was determined that the existing manhole bases had been constructed with excessive amounts of concrete. The contractor agreed to modify the existing manhole bases to adequately support new manholes risers for a cost savings considerably more than removing the existing bases and constructing new ones. WU-U-87-103.

FILE LOCATION: CONT Cal-Southwest Construction, Inc. CONTFY87-1

COUNCIL ACTION: (Tape location: A104-113.)



CONSENT MOTION BY GOTCH TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksmay-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-150: (R-87-1500) ADOPTED AS RESOLUTION R-267715

Authorizing the City Manager to negotiate a long-term lease with San Diego Hebrew Day School for a portion of Site 13C, described as the ten acres lying southwesterly of the 65 CNE line and located in the University City area, and to conduct a Request for Proposals for the remaining five acres.

(See City Manager Report CMR-87-27. University City Community Area. District-1.)

COMMITTEE ACTION: Reviewed by PFR on 1/14/87.

Recommendation to adopt the Resolution. Districts 2, 3, and 7 voted yea. Districts 5 and 8 not present.

CITY MANAGER REPORT: The Public Facilities and Recreation Committee considered a request from the San Diego Hebrew Day School to exclusively negotiate on the sale of the westerly 10 acres of Site 13C. The Committee voted to approve authorization for the City Manager to negotiate a long-term lease. Representatives from the San Diego Hebrew Day School indicated that it was their intent to offer the use of their facilities to the public when convenient to the operation of the school. The exclusive negotiation with the Hebrew Day School is consistent with City Council Policy 700-12 which allows direct negotiations with nonprofit organizations for the use of City lands for educational purposes at fair market value.

FILE LOCATION: LEAS San Diego Hebrew Day School  
LEASFY87-1

COUNCIL ACTION: (Tape location: A234-571.)

MOTION BY WOLFSHEIMER TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksmay-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-200: (R-87-1434) ADOPTED AS RESOLUTION R-267716

Awarding a contract to T. B. Penick & Sons, Inc. for the improvement of the alley in Block 35, Del Mar Heights (1911 Improvement Act).

(Del Mar Heights Community Area. District-1.)

CITY MANAGER REPORT: The project consists of alley grading and paving and the installation of an 18" storm drain within a 10' drainage easement between two existing houses. The project was previously bid in April, 1986. The lowest bid was \$51,700, which was approximately 50 percent over the Engineer's estimate of \$34,150. An analysis of the bids received and discussions with the bidders resulted in the recommendation that bids be rejected, changes be made to the plans and specifications, and the project be rebid. Bids were opened on December 16, 1986. Of three bids received, the lowest responsive bid was \$49,198.42, which was 44 percent over the Engineer's estimate. While the \$2,500 savings over the previous bids is not as high as was anticipated, it does not appear that rebidding the project again would result in significantly lower bids. It is recommended that the contract be awarded. The property owners have been noticed of the approximately 20 percent increase in their estimated assessments.

FILE LOCATION: STRT D-2222 CONTFY87-1

COUNCIL ACTION: (Tape location: A571-586.)

MOTION BY WOLFSHEIMER TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-201: (R-87-1575) ADOPTED AS RESOLUTION R-267717

Authorizing the City Manager to amend the CDBG Allocation for Program Years 1982 and 1983, transferring \$26,692 and \$67,100, respectively, from Chicano Federation Housing Development to the Housing Commission for the purpose of administering an agreement with the Chicano Federation on behalf of the City; authorizing the City Manager to amend the Housing Commission's 1982 and 1983 CDBG agreements, incorporating the funds transferred from Chicano Federation Housing Development and assigning responsibility to administer those funds on behalf of the City.

(See Housing Commission Report HCR-86-013CC.)

Aud. Cert. 8700624.

FILE LOCATION: MEET CONTFY87-2

COUNCIL ACTION: (Tape location: A586-B022.)

MOTION BY STRUIKSMA TO ADOPT. Second by Ballesteros. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-202: (R-87-1585) ADOPTED AS RESOLUTION R-267718

Authorizing the City Manager to accept the bid of Deloitte, Haskins and Sells for consulting services necessary to perform a management audit of CONVIS; authorizing the execution of a letter agreement between the City of San Diego and Deloitte, Haskins and Sells; authorizing the City Auditor and Comptroller to expend the sum of \$71,000 from the Special Promotional Programs Budget, Fund 10223, Department 915, Object Account 4222, Job Order 091506, for the purpose of compensating Deloitte, Haskins and Sells for the above described services.

CITY MANAGER REPORT: Council Policy 100-4 states that every two to five years, CONVIS shall submit to a management audit conducted by a contractor selected by the City and financed with Transient Occupancy Tax funds other than those allocated to CONVIS. In FY 1985, \$25,000 was approved for this purpose. A request for proposals was advertised twice with no response. A survey of consulting firms indicated that \$25,000 was insufficient compensation to perform the scope of services contained in the request for proposals. In FY 1987, an additional \$50,000 was approved. In FY 1987, the request for proposals was mailed to 13 consulting firms and advertised in the Daily Transcript, Voice and Viewpoint, and La Prensa newspapers. Bids were received from the following firms: Coopers and Lybrand, Price Waterhouse, Deloitte, Haskins and Sells, and Peat, Marwick, Mitchell and Co. An interview panel composed of representatives from the Financial Management Department and the Auditor's Office, reviewed the bid proposals and interviewed the two top-ranking firms of Deloitte, Haskins and Sells, and Coopers and Lybrand. The interview panel recommends that the City accept the bid proposal submitted by Deloitte, Haskins and Sells based upon the following significant factors: 1) the client references and work samples provided were the most pertinent to the scope of work tasks contained in the request for proposals; 2) the firm has a nationally organized hospitality industry group which will provide relevant expertise; and 3) the firm provided the most comprehensive methodology for review, evaluation, and comparison of CONVIS's advertising, training, and promotional practices.

Aud. Cert. 8700623.

FILE LOCATION: MEET CCONFY87-1

COUNCIL ACTION: (Tape location: B023-042.)

MOTION BY McCOLL TO ADOPT AND DIRECT THE CITY MANAGER TO REQUEST THAT THE AUDIT BE COMPLETED BEFORE MAY 1 SO THAT MEMBERS OF THE

PUBLIC SERVICES AND SAFETY COMMITTEE HAVE AN OPPORTUNITY TO REVIEW THE RESULTS OF THE AUDIT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-203: (R-87-1530) ADOPTED AS RESOLUTION R-267719

Authorizing the execution of a third amendment to the Penasquitos Canyon land exchange agreement between the City and Genstar Development, Inc., to extend the close of escrow date to September 30, 1988.

(Mira Mesa and Penasquitos East Community Areas.  
District-1.)

CITY MANAGER REPORT: By City Council Resolution R-263850, adopted August 12, 1985, the City entered into an agreement with Genstar Development, Inc., to exchange certain lands in the Penasquitos Canyon area. The exchange is contingent upon the City approving a number of discretionary permits and upon a vote of the electorate. The electorate approved the exchange as Proposition D at the November 1986 election. The agreement provides for the exchange of lands and payment by Genstar of approximately \$960,000 plus interest at 10.435 percent per annum, from June 1985 to the close of escrow, no later than December 1, 1986. Genstar has requested and the City Manager recommends that the date for closing escrow be amended to no later than September 30, 1988, to allow Genstar and the City to complete processing of the contingent approvals called for in the agreement.

FILE LOCATION: MEET CONTFY87-1

COUNCIL ACTION: (Tape location: B042-084.)

MOTION BY STRUIKSMA TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-204: (R-87-1578) ADOPTED AS RESOLUTION R-267720

Authorizing the execution of an agreement with the San Diego Regional Employment and Training Consortium (RETC) to permit the City's Regional Youth Employment Program (REGY) to operate the 1987 San Diego Youth Corps Summer Program in the San Diego Metropolitan area, during the period of February 16, 1987 through September 30, 1987.

CITY MANAGER REPORT: The City of San Diego, through the

Regional Youth Employment Program (REGY) has operated a federally-funded summer jobs program for low-income youth since 1972. During those fifteen years, over 50,000 young people have received summer jobs. In November, 1986, the City submitted a proposal to the Regional Employment and Training Consortium (RETC) to operate the upcoming 1987 Summer Program - now officially called the San Diego Youth Corps. The proposal was successful, and on February 2, 1987, the RETC Policy Board approved a contract with the City for \$1,760,000 in Federal JTPA funds for the 1987 San Diego Youth Corps Summer Program. This funding level will permit REGY to provide jobs for over 2,000 youth in the San Diego Metropolitan area. The contract will run from February 16, through September 20, 1987 and will be divided into a pre-operational and operational phase. The pre-operational phase will last until June 30th, and will involve distribution of applications, recruitment activities, eligibility screening of applicants, selection of worksites and jobs, orientations for youth and supervisors, and matching of youth to jobs. The operational phase will begin when youth begin working, shortly after school ends, and will continue through September 30th. As in past years, youth will be paid at minimum wage or slightly above, and will work for approximately eight weeks. Components of the 1987 program will include subsidized jobs with public or non-profit community agencies, work crew projects to benefit the community, and several hundred jobs with private sector firms. Also included will be the third year of the STEP demonstration program, which combines remedial classroom education with work experience, and which REGY operates in cooperation with RETC and the San Diego City Schools.

FILE LOCATION: MEET CONFY87-1

COUNCIL ACTION: (Tape location: B084-096.)

MOTION BY STRUIKSMA TO ADOPT. Second by Ballesteros. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-330:

Request for an amendment to Conditional Use Permit CUP-83-0657, to relocate an existing helistop at Mercy Hospital and increase the number of helicopter operations to 300 per year. The subject property (15.76 acres) is located on the east side of Fifth Avenue between Washington Street and Arbor Drive, in Zone R-600, in the Uptown Community Plan area, and is further described as Parcel Map

PM-8543.  
(CUP-83-0657.1. District-2.)

Subitem-A: (R-87-1701) ADOPTED AS RESOLUTION R-267724  
870217

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-85-0425 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council.

Subitem-B: (R-87-1702) ADOPTED AS RESOLUTION R-267725  
GRANTING AMENDMENT TO PERMIT

Adoption of a Resolution granting or denying the amendment to the permit, with appropriate findings to support Council action.

Subitem-C: (R-87-1703) ADOPTED AS RESOLUTION R-267726

Adoption of a Resolution containing appropriate findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081 in connection with Environmental Impact Report EIR-85-0425.

FILE LOCATION: PERM CUP-83-0657

COUNCIL ACTION: (Tape location: D016-040.)

Hearing began at 2:04 p.m. and halted at 2:06 p.m.

Council Member Cleator entered at 2:05 p.m.

MOTION BY WOLFSHEIMER TO ADOPT SUBITEMS A, B AND C GRANTING THE AMENDMENT TO THE PERMIT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksmay-yea, Gotch-yea, McCarty-yea, Ballesteros-not present, Mayor O'Connor-yea.

ITEM-331: (O-87-139) INTRODUCED, TO BE ADOPTED MARCH 2, 1987

Rezoning Parcels 1 and 2 of Parcel Map PM-4522, Map-6960 (a 5.03-acre site), from Zone CA to Zone CN. The subject property is located at the northwest corner of Santo Road and Clairemont Mesa Boulevard, in the Tierrasanta Community Plan area.

(Case-86-0639. District-7.)

Introduction of an Ordinance for CN Zoning.

FILE LOCATION: ZONE ORD NO.

COUNCIL ACTION: (Tape location: D325-497.)

Hearing began at 2:29 p.m. and halted at 2:39 p.m.

Council Members Cleator, Gotch, and Ballesteros left at 2:30 p.m.

Council Members Cleator and Ballesteros entered at 2:32 p.m.

Council Member Gotch entered at 2:33 p.m.

Testimony in opposition by Stephen McDonald.

MOTION BY McCARTY TO INTRODUCE THE ORDINANCE TO APPROVE THE ZONING. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-332: (O-87-56 Rev. 2) INTRODUCED, TO BE ADOPTED MARCH 2, 1987

A proposal to establish the Centre City Overlay Zone which would apply to all new construction in the Core, Harborview and Cortez sub-areas of the Centre City San Diego Community Plan. The Overlay Zone addresses Vehicular Access, Parking, Street Level Development Criteria, Signage, Roofscapes, Plazas and Setbacks.

(Centre City Community Area. District-8.)

Introduction of an Ordinance amending the San Diego Municipal Code relating to the Centre City Overlay Zone.

(Introduced as amended on 11/4/86. Council voted as follows: 7-2 for the sign provisions (Yeas-1,3,4,6,7,8,M. Nays-2,5); 9-0 for the parking amendments; 9-0 for street level activity. Continued from the meetings of November 18, 1986, Item 52, and December 8, 1986, Item 200.

Reintroduced on 12/8/86. Reconsidered on 12/9/86 and continued to 1/26/87. Continued at Frank Curran's request for testimony from the 12/8/86 meeting. Continued to 2/17/87 at Planning's request because of several minor adjustments to the ordinance in response to input from the development community, requiring a reintroduction of the ordinance and necessitating notice of the public hearing.

FILE LOCATION: LAND Centre City San Deigo Community Plan

COUNCIL ACTION: (Tape location: D498-E478.)

Hearing began at 2:40 p.m. and halted at 3:20 p.m.

Council Member Cleator left at 2:40 p.m.

Testimony in opposition by Frank Curran.

MOTION BY BALLESTEROS TO INTRODUCE OVERLAY ZONE. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-not present, McColl-yea, Jones-not present , Struiksma-yea (nay on signage), Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

\* ITEM-S400: (R-87-1624) ADOPTED AS RESOLUTION R-267721

Excusing Mayor O'Connor from attending the Council meetings of February 9-10, 1987, due to her attendance of official City business in New York.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A104-113.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-S401: (R-87-1595) CONTINUED TO FEBRUARY 23, 1987

(Continued from the meeting of February 9, 1987, Item S402, at the City Manager's request, for the rest of the resumes from the appointees to the Committees.)  
Establishing a "Blue Ribbon Task Force" to assist the City of San Diego in the evaluation of the bond issues for Mission Bay and Balboa Park areas appearing on the November 1987 Ballot.

(See City Manager Report CMR-87-25.)

COMMITTEE ACTION: Reviewed by RULES on 2/4/87. Recommendation to adopt the Manager's recommendation, as well as the Rules Committee directive of 1/14/87 that the Task Force include individuals suggested by each Councilmember. Districts 3,4,6, and the Mayor voted yea. District 2 not present.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A060-070.)

MOTION BY WOLFSHEIMER TO CONTINUE TO FEBRUARY 23, 1987, AT THE CITY MANAGER'S REQUEST TO OBTAIN ALL RESUMES FROM THE APPOINTEES. Second by Ballesteros. Passed by the following vote: Wolfsheimer-yea, Cleator-not present, McColl-yea, Jones-not present, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-S402: NOTE AND FILE

(Continued from the meeting of February 10, 1987, Item 337, at Mayor O'Connor's request, to allow her to be present.)  
Discussion in the matter of the conversion of the Metropolitan Sewerage System to Secondary Treatment and the filing of a new revised waiver application from Secondary Treatment.

(See City Manager Report CMR-87-70.)



FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B104-C558.)

Hearing began 10:40 a.m. and halted 11:50 a.m.

Testimony by Don Conner, Larry Hirsch, Mark Nelson, Lee Olsen, Howard Greenebaum, Doug Myers, Nancy Skinner, Alan Sakarias, Terry Thielen, and Thelma Cantrall.

Motion by McCarty to go to secondary treatment or tertiary treatment and set up a task force as outlined in Council Member McCarty's memo dated February 10, 1987, to define the issues, provide the framework for decisions, set goals and objectives, plan and organize the study effort, define tasks, set timeframes, recommend consultant needs, coordinate the work effort, evaluate the results, and make recommendations to the City Council. The task force should include the following: a project manager, a civil engineer in the water treatment field, a legal expert, a representative of the construction industry, a financial expert knowledgeable in bond financing, a political team, led by the Mayor and including members from the State and Congressional delegations, a marketing expert, someone from the academic community with expertise in waste water technology, and a representative of the City, preferably the manager of the Point Loma Plant. Second by Gotch. No vote.

MOTION BY McCARTY TO AMEND THE MOTION TO REJECT THE RECOMMENDATION TO SEEK A WAIVER AND MOVE TO SECONDARY

TREATMENT

OR TERTIARY, DIRECT THE CITY MANAGER TO RETURN TO COUNCIL WITH RECOMMENDATIONS FOR MEMBERSHIP ON THE TASK FORCE TO BE

APPOINTED

BY THE MAYOR AND COUNCIL, AND ASK THE TASK FORCE TO PROVIDE THE COUNCIL WITH OPTIONS WHICH WOULD INCLUDE TERTIARY TREATMENT.

Second by Struiksma. Passed by the following vote:

Wolfsheimer-yea, Cleator-nay, McColl-yea, Jones-not present, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-S403: (R-87-1436 Rev.) ADOPTED AS AMENDED AS RESOLUTION  
R-267727

19870217

(Continued from the meeting of February 9, 1987, Item S403, at the City Manager's request, to allow Mayor O'Connor to be present.)

Establishing a Committee Against Drug Abuse; authorizing the transfer and expenditure of funds not to exceed \$64,800 for staffing and supporting said Committee; waiving Council

Policy 300-7 and authorizing the City Manager to execute an agreement with Manny Lopez for professional consultant services in connection with the task assigned the Committee.

FILE LOCATION: MEET CCONFY87-1

COUNCIL ACTION: (Tape location: F079-290.)

MOTION BY GOTCH TO ADOPT AS AMENDED APPROVING THE COMMITTEE AGAINST DRUG ABUSE BUT DIRECT THE CITY MANAGER STAFF TO ADVERTISE FOR A PROFESSIONAL CONSULTANT FOR THE COMMITTEE WITHIN 3-4 WEEKS WITH THE SUCCESSFUL CANDIDATE TO ENTER INTO AN AGREEMENT WITH THE CITY FOR A PERIOD OF 1-1/2 YEARS ASSUMING FUNDING IS APPROVED BY COUNCIL. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-not present, McColl-yea, Jones-not present, Struiksmay-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

NOTE: This item is to be taken after Item S402. Today's action is for Council to adopt either

19870217

Subitem A or

Subitem B below.

ITEM-S404:

Alternate Resolutions relative to the waiver application from Secondary Sewage Treatment requirements:

Subitem-A: (R-87-1633) FILED

Authorizing the execution of an agreement with NBS/Lowry for engineering consultant services for the preparation of the revised 301(h) Waiver Application from secondary sewage treatment requirements for submittal to the Environmental Protection Agency; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$291,225 within the Sewer Revenue Fund (41506) from the Unallocated Reserve (70697) to the Engineering Operation Program (70820); authorizing the expenditure of an amount not to exceed \$291,225 from the Sewer Revenue Fund (41506), for the purpose of providing funds for the above project. (District-2.)

CITY MANAGER REPORT: On December 9, 1986, the City Council convened a special public hearing to discuss the subject of resubmittal of a 301(h) waiver application versus the implementation of secondary treatment. This hearing was

continued to February 17, 1987. In the event that the City Council determines that it would be in the best interest of the City to continue the pursuit of a 301(h) waiver from secondary treatment, it will be necessary to continue preparation of the waiver application. The resubmittal of the 301(h) waiver application will be based upon extension of the existing outfall at Point Loma to ensure compliance with the California State Ocean Plan. The waiver must include sufficient technical data to substantiate the effectiveness of the outfall extension at reducing the coliform counts in the kelp beds and at protecting the balanced indigenous population within the zone of initial dilution of the effluent field (these two items were the basis for the tentative denial of the waiver). Staff oceanographers at EPA provided Utilities staff with a description of the extensive data that would be required to substantiate the waiver request. Portions of this data have been collected in the past two months through an existing agreement with NBS/Lowry. Because of the extensive oceanographic engineering work which is required in such a short period of time (the deadline for submittal is March 30, 1987) and the past and current involvement NBS/Lowry has with this project, competition for the position is considered non-feasible. In accordance with Council Policy 300-07, NBS/Lowry was selected as the consultant engineer for this project.

Aud. Cert. 8700653.

WU-U-87-111.

Subitem-B: (R-87-1633a Rev.1) ADOPTED AS AMENDED AS RESOLUTION  
R-267722

Authorizing the City Manager to cease all waiver efforts and to notify the EPA of the City's intentions to pursue secondary treatment.

CITY MANAGER REPORT: On December 9, 1986 the San Diego City Council convened a special public hearing to discuss the subject of resubmittal of a 301(h) waiver application versus the implementation of secondary treatment. This hearing was continued to February 17, 1987. In the event that the Council decides that it is in the best interest of the City to discontinue the pursuit of a 301(h) waiver from secondary treatment, it will be necessary to immediately cease all efforts towards preparation of a revised waiver application and notify the EPA that the City intends to convert to secondary treatment. The Federal and State deadline for compliance with secondary treatment is July 1, 1988. While it is not feasible to meet this deadline, the City must proceed towards implementation of

secondary treatment immediately to avoid penalties for noncompliance which could include fines and/or a moratorium on the entire metropolitan service area. It is now necessary to initiate the actions that will implement secondary treatment facilities for the metropolitan service area.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B104-C558.)

Motion by McCarty to go to secondary treatment or tertiary treatment and set up a task force as outlined in Council Member McCarty's memo dated February 10, 1987, to define the issues, provide the framework for decisions, set goals and objectives, plan and organize the study effort, define tasks, set timeframes, recommend consultant needs, coordinate the work effort, evaluate the results, and make recommendations to the City Council. The task force should include the following: a project manager, a civil engineer in the water treatment field, a legal expert, a representative of the construction industry,, a financial expert knowledgeable in bond financing, a political team, led by the Mayor and including members from the State and Congressional delegations, a marketing expert, someone from the academic community with expertise in waste water technology, and a representative of the City, preferably the manager of the Point Loma Plant. Second by Gotch. No vote.

MOTION BY McCARTY TO AMEND THE MOTION TO REJECT THE RECOMMENDATION TO SEEK A WAIVER AND MOVE TO SECONDARY TREATMENT

OR TERTIARY, DIRECT THE CITY MANAGER TO RETURN TO COUNCIL WITH RECOMMENDATIONS FOR MEMBERSHIP ON THE TASK FORCE TO BE APPOINTED

BY THE MAYOR AND COUNCIL, AND ASK THE TASK FORCE TO PROVIDE THE COUNCIL WITH OPTIONS WHICH WOULD INCLUDE TERTIARY TREATMENT.

Second by Struiksma. Passed by the following vote:

Wolfsheimer-yea, Cleator-nay, McColl-yea, Jones-not present, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-S405: (R-87-1638) ADOPTED AS RESOLUTION R-267723

Authorizing the City Manager to pay the total sum of \$300,000 pursuant to the California Regional Water Quality Control Board - San Diego Region, Administrative Civil Liability Order No. 87-05 for sewage spills from Sewer Pump Station No. 64; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$300,000 within the Sewer Revenue Fund (41506) from the Unallocated

Reserve (70697) to the Wastewater Pump Station Program 70450; authorizing the City Auditor and Comptroller to issue one check in the amount of \$200,000 made payable to the State Water Resources Control Board; authorizing the City Auditor and Comptroller to issue one check in the amount of \$100,000 made payable to the Los Penasquitos Lagoon Fund, with the approval of the Regional Water Quality Control Board's Executive Officer, for Los Penasquitos Lagoon enhancement or mitigation purposes.

CITY MANAGER REPORT: The Regional Water Quality Control Board, at its meeting of January 23, 1987, adopted Order No. 87-05 pertaining to the November 27, 1986 1.5 million gallon sewage overflow from the City of San Diego, Pump Station No. 64. Pursuant to the Board's findings, it was ordered that there be imposed on the City an Administrative Civil Liability of \$1,500,000. The sum of \$200,000 is payable to the California Regional Water Quality Control Board by February 22, 1987. An additional sum of \$300,000 is also due by that date, or the City may, with the approval of the Regional Board Executive Officer, donate the sum of \$100,000 to an independent entity, such as the Los Penasquitos Lagoon Fund, for the Lagoon's enhancement or for mitigation measures. The remaining \$1,000,000 liability has been suspended, but would become payable to the extent of \$200,000 plus \$1 per gallon of waste discharged, but not more than \$800,000, should another spill occur.

Aud. Cert. 8700655.

WU-U-87-116.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C573-583.)

MOTION BY STRUIKSMA TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-S406: (R-87-1639) ADOPTED AS RESOLUTION R-267728

Declaring support for the Maquiladora/Twin Plant Program (also known as "Production Sharing"), which generates economic health for both the United States and Mexico; opposing elimination of existing laws and regulations which provide the legal foundation for the Maquiladora/Twin Plant Program.

(See City Manager Report CMR-87-81.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D041-324.)

MOTION BY GOTCH TO ADOPT WITH DIRECTION TO THE CITY MANAGER TO HAVE A WRITTEN REPORT SUBMITTED TO EITHER THE CITY COUNCIL OR RULES COMMITTEE (TO BE DETERMINED BY THE DIRECTOR OF BINATIONAL AFFAIRS) ON IMPOSING THE SAME STANDARDS FOR AN AMERICAN PLANT LOCATED IN ANOTHER COUNTRY THAT ARE REQUIRED IN THE UNITED STATES, WHAT THE IMPLICATIONS WOULD BE COMPOSING SUCH A POLICY, HOW IT CAN BE DONE, IF IT SHOULD BE DONE, AND IF IT HAS EVER BEEN DONE BEFORE. Second by Cleator. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-ND-1: (R-87-1625) ADOPTED AS RESOLUTION R-267729

A Resolution presented to the City Council as a  
Non-docketed item.

Passage of a resolution supporting legislative efforts to  
allow the Service Authority for Freeway Emergencies (SAFE)  
to receive reimbursement through State funds of monies paid  
to the California Highway Patrol for freeway callbox  
dispatching services.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: E479-641.)

Motion by McColl to bring forward for Council consideration.

Second by Struiksma. Passed by the following vote:

Wolfsheimer-yea, Cleator-not present, McColl-yea, Jones-not  
present, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea,  
Mayor O'Connor-yea.

MOTION BY McCOLL TO ADOPT. Second by Struiksma. Passed by the  
following vote: Wolfsheimer-yea, Cleator-not present,  
McColl-yea, Jones-not present, Struiksma-yea, Gotch-yea,  
McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ADJOURNMENT:

By common consent the meeting was adjourned by Mayor  
O'Connor at 3:48 p.m.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: F290).

Charles G. Abdelnour, City Clerk  
City of San Diego